

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6200

BILL NUMBER: SB 1

NOTE PREPARED: Feb 28, 2012

BILL AMENDED: Feb 28, 2012

SUBJECT: Right to Defend Against Unlawful Entry.

FIRST AUTHOR: Sen. Young R Michael

FIRST SPONSOR: Rep. McMillin

BILL STATUS: 2nd Reading - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill has the following provisions:

- A. *Reasonable Force* - It specifies that a person may use reasonable force against any other person in certain circumstances.
- B. *Justifiable Reasonable Force Against a Law Enforcement Officer* – It provides that a person is justified in using reasonable force against a law enforcement officer if the person reasonably believes the force is necessary to: (1) protect the person or a third person from unlawful force; (2) prevent or terminate the law enforcement officer's unlawful entry into the person's dwelling; or (3) prevent or terminate the law enforcement officer's criminal interference with property lawfully in the person's possession.
- C. *Reasonable Force Against a Law Enforcement Officer Not Justifiable* – It specifies that a person is not justified in using force against a law enforcement officer if: (1) the person is committing or is escaping after the commission of a crime; (2) the person provokes action by the law enforcement officer with intent to injure the law enforcement officer; (3) the person has entered into combat with the law enforcement officer or is the initial aggressor; or (4) the person reasonably believes the law enforcement officer acting lawfully or is engaged in the lawful execution of the law enforcement officer's official duties. It provides that a person is not justified in using deadly force against a law enforcement officer who the person knows or reasonably should know is a law enforcement officer unless: (1) the person reasonably believes that the law enforcement officer is acting unlawfully or is not engaged in the execution of the officer's official duties; and (2) the force is reasonably necessary

to prevent serious bodily injury to the person or a third person.

(The introduced version of this bill was prepared by the Legislative Council Barnes v. State Subcommittee.)

Effective Date: Upon passage.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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